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Notice of Allowability	Application No.	Applicant(s)	
	10/509,759	MURAKAMI ET AL.	
	Examiner	Art Unit	
	Sow-Fun Hon	1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 04/05/06.
2. ☒ The allowed claim(s) is/are 1-5 and 7-17,19-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>04/05/06</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>6/5/06</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input checked="" type="checkbox"/> Other <u>See Continuation Sheet</u>. |
|---|---|

Continuation of Attachment(s) 9. Other: The drawings filed 09/30/04 are accepted by the examiner.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Nicolas Seckel on June 05, 2006.

The application has been amended as follows:

2. Cancel claim 18.
3. Claim 1: Line 11: Substitute " $1 < (nx - nz) / (nx - ny)$ " with
-- $1 < (nx - nz) / (nx - ny) < 100$ --

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4. The following is an examiner's statement of reasons for allowance: the closest prior art of record, US 5,750,641, fails to teach or suggest, even in view of US 5,625,474, US 6,359,669 and US 6,795,246, an optical film comprising a transparent polymer film (b); and a biaxially birefringent layer (a) formed of a polymer and laminated above the transparent polymer film (b), wherein the birefringent layer (a) and the transparent polymer film (b) satisfy a formula (1) below, the birefringent layer (a) satisfies formulae (2) and (3) below, and the polymer forming the birefringent layer (a) has a weight-average molecular weight in a range between 10,000 and 400,000 inclusive,

$$\Delta n(a) > \Delta n(b) \times 10 \quad (1)$$

$$1 < (n_x - n_z) / (n_x - n_y) < 100 \quad (2)$$

$$0.0005 \leq \Delta n(a) \leq 0.5 \quad (3)$$

where $\Delta n(a)$ is a birefringence of the birefringent layer (a) and is represented by $[(n_x + n_y) / 2] - n_z$, $\Delta n(b)$ is a birefringence of the transparent polymer film (b) and is represented by $[(n_x' + n_y') / 2] - n_z'$. None of the references teach the biaxially birefringent layer (a) which satisfies the optical conditions set by formulae (2) and (3), as related to the relationship with transparent polymer film (b) set by formula (1).

5. The 35 U.S.C. 101 statutory double-patenting rejection of claims 1-4, 10-16 over Application serial number 10/501,959 has been withdrawn due to Applicant's arguments in the remarks section dated 04/05/06.

6. The obviousness-type double patenting rejection of claims 5, 14-17 over Application serial number 10/501,959 has been withdrawn due to the terminal disclaimer filed 04/05/06.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number is (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached at (571)272-1498. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

S. Hon.
Sow-Fun Hon
06/05/06

[Signature]
HAROLD PYON
SUPERVISORY PATENT EXAMINER
1772

6/6/06